

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

WARDELL E. BANKS, JR.,
Administrator of the
Estate of Clara Cummings Banks,
Deceased, et al.,

Plaintiffs,

v.

Civil Action No. 3:12cv201

GENERAL MOTORS, LLC,
et al.,

Defendants.

GREENBRIER OLDSMOBILE-GMC
TRUCKS, INC.,

Cross-Claim Plaintiff,

v.

GENERAL MOTORS, LLC,
et al.,

Cross-Claim Defendants.

ORDER

By Order entered herein on June 1, 2012, the pending PLAINTIFF'S MOTION TO REMAND (Docket No. 15) and MOTION TO AMEND ANSWER TO COMPLAINT (Docket No. 17) were referred to Magistrate Judge M. Hannah Lauck for report and recommendation.

Having reviewed the REPORT AND RECOMMENDATION (Docket No. 24) entered herein on December 31, 2012, the PLAINTIFF'S [sic] SPECIFIC WRITTEN OBJECTIONS TO THE REPORT AND RECOMMENDATION OF THE MAGISTRATE DATED DECEMBER 31, 2012 (Docket No. 29) filed herein on January 22, 2013, GREENBRIER OLDSMOBILE-GMC TRUCKS, INC.'S RESPONSE TO THE PLAINTIFFS' OBJECTIONS TO MAGISTRATE JUDGE LAUCK'S DECEMBER 31, 2012 REPORT AND RECOMMENDATION FOR DENYING THE PLAINTIFFS' MOTION FOR REMAND TO STATE COURT (Docket No. 30) filed herein on January 24, 2013, GENERAL MOTORS LLC'S RESPONSE TO PLAINTIFFS' OBJECTIONS TO REPORT AND RECOMMENDATION OF DECEMBER 31, 2012 (Docket No. 31) filed herein on February 5, 2013, and having considered the record and the REPORT AND RECOMMENDATION and finding no error therein, it is hereby ORDERED that:

(1) The plaintiffs' objections are overruled;

(2) The REPORT AND RECOMMENDATION of the Magistrate Judge is ADOPTED on the basis of the reasoning of the REPORT AND RECOMMENDATION;

(3) The PLAINTIFF'S [sic] MOTION TO REMAND (Docket No. 15) is denied;

(4) The MOTION TO AMEND ANSWER TO COMPLAINT (Docket No. 17) filed by the defendant, General Motors LLC, is granted; and, the defendant, General Motors LLC, shall electronically file its Amended Answer forthwith; and

(5) The Initial Pretrial Conference is scheduled for 11:15 a.m. February 20, 2013.

The issues are adequately addressed by the briefs and oral argument would not materially aid the decisional process.

It is so ORDERED.

/s/ *REP*

Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: February 5, 2013